

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION**

KEVIN JAMES BURE,)	
Plaintiff,)	
)	
v.)	CAUSE NO.: 3:24-CV-362-JVB-APR
)	
C. GANN, ERIN WILLIAMS, SMILEY,)	
R. RHODES, CORLEY, KENNETH REED,)	
and JOHN OR JANE DOE,)	
Defendants.)	

OPINION AND ORDER

Kevin James Bure, a prisoner without a lawyer, filed a complaint alleging the defendants put him in the wrong security classification. (ECF 1). “A document filed *pro se* is to be liberally construed, and a *pro se* complaint, however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers.” *Erickson v. Pardus*, 551 U.S. 89, 94 (2007) (quotation marks and citations omitted). Nevertheless, under 28 U.S.C. § 1915A, the Court must review the merits of a prisoner complaint and dismiss it if the action is frivolous or malicious, fails to state a claim upon which relief may be granted, or seeks monetary relief against a defendant who is immune from such relief.

Bure alleges he has been put in Security Classification Level 2 and he belongs in Security Classification Level 1. It is well-settled in this Circuit that a convicted inmate has “no liberty interest in his security classification.” *Earls v. Buske*, No. 22-1193, 2022 WL 3928515, at *1 (7th Cir. Aug. 31, 2022) citing *DeTomaso v. McGinnis*, 970 F.2d 211, 212 (7th Cir. 1992) (“[P]risoners possess neither liberty nor property [interests] in their classifications and prison assignments.”); see also *Healy v. Wisconsin*, 65 F. App’x 567, 568 (7th Cir. 2003) (“[I]nmates do not have a

protected liberty interest in a particular security classification.”); *Taylor v. Levesque*, 246 F. App’x 772 (2d Cir. 2007) (prisoner did not have a protected liberty interest in his security classification).

This complaint does not state a claim for which relief can be granted. Though it appears unlikely he can state a claim based on (and consistent with) the events described in this complaint, he will be granted leave to try. *See Abu-Shawish v. United States*, 898 F.3d 726, 738 (7th Cir. 2018). To file an amended complaint, he needs to write this cause number on a **Pro Se 14 (INND Rev. 2/20) Prisoner Complaint** form which is available from his law library. He needs to write the word “Amended” on the first page above the title “Prisoner Complaint” and send it to the Court after he properly completes the form.

For these reasons, the Court:

(1) **GRANTS** Kevin James Bure until **November 21, 2024**, to file an amended complaint;
and

(2) **CAUTIONS** Kevin James Bure if he does not respond by the deadline, this case will be dismissed under 28 U.S.C. § 1915A without further notice because the current complaint does not state a claim for which relief can be granted.

SO ORDERED on October 22, 2024.

s/ Joseph S. Van Bokkelen
JOSEPH S. VAN BOKKELEN, JUDGE
UNITED STATES DISTRICT COURT